

**Comments in Response to Localism Notice of Proposed Rulemaking
MB Docket No. 04-233**

I submit the following comments in response to the Localism Notice of Proposed Rulemaking (the "NPRM"), released Jan. 24, 2008, in MB Docket No. 04-233.

Any new FCC rules, policies or procedures must not violate First Amendment rights. A number of proposals discussed in the NPRM, if enacted, would do so - and must not be adopted.

(1) The FCC must not force radio stations, especially religious broadcasters, to take advice from people who do not share their values. The NPRM's proposed advisory board proposals would impose such unconstitutional mandates. Religious broadcasters who resist advice from those who don't share their values could face increased harassment, complaints and even loss of license for choosing to follow their own consciences, rather than allowing incompatible viewpoints to shape their programming. The First Amendment prohibits government, including the FCC, from dictating what viewpoints a broadcaster, particularly a religious broadcaster, must present.

(2) The FCC must not turn every radio station into a public forum where anyone and everyone has rights to air time. Proposed public access requirements would do so - even if a religious broadcaster conscientiously objects to the message. The First Amendment forbids imposition of message delivery mandates on any religion.

(3) The FCC must not force revelation of specific editorial decision-making information. The choice of programming, especially religious programming, is not properly dictated by any government agency - and proposals to force reporting on such things as who produced what programs would intrude on constitutionally-protected editorial choices.

(4) The FCC must not establish a two-tiered renewal system in which certain licensees would be automatically barred from routine renewal application processing. The proposed mandatory special renewal review of certain classes of applicants by the Commissioners themselves would amount to coercion of religious broadcasters. Those who stay true to their consciences and present only the messages they correspond to their beliefs could face long, expensive and potentially ruinous renewal proceedings.

(5) Many Christian broadcasters operate on tight budgets, as do many smaller market secular stations. Keeping the electricity flowing is often a challenge. Yet, the Commission proposes to further squeeze niche and smaller market broadcasters, by substantially raising costs in two ways: (a) by requiring staff presence whenever a station is on the air and, (b) by further restricting main studio location choices. Raising costs with these proposals would force service cutbacks - and curtailed service is contrary to the public interest.

We urge the FCC not to adopt rules, procedures or policies discussed above.

In addition, we understand that you must have received numerous letters such as this one but we are adding this so that you understand that this is indeed our position. Though there are many people who agree with the above statements and do not want the FCC to make these changes, there are as many who want to crush any voice that expounds a viewpoint different than theirs. They call this "fairness" yet there are far more voices that offer an alternative to religious programming. In a free and open broadcasting environment, if someone finds content objectionable, a simple turn of a dial or push of a button is all that is necessary to find an alternative. As Christians, we enjoy the freedom to hear religious broadcasts of sermons, music, teaching and content particular to our world-view, as well as, classical, jazz, pop, rock, talk, or whatever piques our interests at the moment. If there is something on the air that we don't like or disagree with we change the station. It is imperative that you understand how strongly we urge the FCC not to adopt rules, procedures or policies discussed above. Please DO NOT implement these changes!

Date

27 April 2008

Signature

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